

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

9

Fuji Photo Film : Civil Action No. 99-2937 (NAP)
Plaintiff(s) :
v. :
Jazz Photo :
Defendant(s) :

PRETRIAL SCHEDULING ORDER

FILED

JUL 28 1999
11 8:30
WILLIAM T. WALSH
CLERK

This matter having come before the Court for a scheduling conference pursuant to Civil Rule 16; good cause appearing;

IT IS on this 27th day of July, 1999.
ORDERED THAT:

I. DISCOVERY

1. Civil Rule 26(a)(1) disclosures shall be made not later than 8/10/99.

2. Interrogatories and document requests shall issue not later than 8/24/99.

3. ~~Each~~ Discovery shall remain open through 12/3/99. *
No discovery is to be issued or engaged in beyond that date.

4. No objections to questions posed at depositions shall be made except as permitted by Civil Rules 30(d)(1) and 32(d)(3)(A). No instruction not to answer shall be given except as permitted by Civil Rule 30(d)(1).

5. Any discovery dispute shall be brought to the Court's attention in the first instance by letter or by telephone conference call immediately after the parties' good faith attempt to resolve the dispute has failed. Local Civil Rule 16.1(f)(1).

* Defendant's request for STAY DENIED. Defendant directed to advise plaintiff within 10 days of any decision to purchase domestic cameras. Notice to be given to counsel only and counsel not to discuss information with client.

II. MOTION PRACTICE

6. Any motion to amend pleadings or add new parties shall comply with Local Civil Rule 7.1(c) and shall be returnable not later than NONE

7. Any dispositive motion shall comply with Local Civil Rule 7.1(f). Motion papers shall be served by TO BE SET. The parties are directed to Local Civil Rule 7.2(b), which prescribes limits to length of briefs. *

III. EXPERTS

8. Not later than 10/29/99 the report of any proposed affirmative expert witness shall be served, together with all other disclosures required by Civil Rule 26(a)(2)(B). (LIABILITY)

9. Not later than — the report of any proposed rebuttal expert witness shall be served, together with all other disclosures required by Civil Rule 26(a)(2)(B).

10. Each expert report shall conform with Civil Rule 26(a)(2)(B).

11. No expert shall testify at trial as to any opinions or base those opinions on facts not substantially disclosed in the expert's report.

IV. FINAL PRETRIAL CONFERENCE

12. A final pretrial conference shall be conducted pursuant to Local Civil Rule 16.1(a) at — a.m./p.m. on 199.

13. All counsel are directed to assemble at the office of counsel for plaintiff(s) not later than ten (10) days before the pretrial conference to prepare the Pretrial Order in the form and content required by the Court. Counsel for plaintiff(s) shall prepare the Pretrial Order and shall submit it to all other counsel for approval.

14. The original of the Pretrial Order shall be delivered to Chambers not later than twenty-four (24) hours before the pretrial conference. All counsel are responsible for the timely submission of the Pretrial Order.

V. MISCELLANEOUS

15. The Court may from time to time schedule conferences as may be required, either sua sponte or at the request of a party.

* Plaintiff to serve Rule 12(b) motion directed to
Counterclaim by 8/20/99. Opposition due 9/13/99.
Motion to be filed by 9/10/99.

16. Since all dates set forth herein are established with the assistance and knowledge of counsel there shall be no extensions except for good cause shown and by leave of Court.

17. Failure to appear at subsequent conferences or to comply with the terms of this or any other Order may result in the imposition of sanctions. Civil Rule 16(f).

18. A copy of every pleading, document or written communication with the Court shall be served on all other parties to the action. Any such communication which does not recite or contain a certification of such service may be disregarded by the Court.

19. There shall be a status/settlement conference on

12/7/99 at 2:30

A handwritten signature in dark ink, appearing to read "Ronald J. Hedges", is written over a horizontal line.

RONALD J. HEDGES
UNITED STATES MAGISTRATE JUDGE

Original: Clerk

cc: District Judge
File